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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,258	09/22/2003	Thomas Goering	11884-400301	7117
23838 7590 03/18/2009 KENYON & KENYON LLP 1500 K STREET N.W. SUITE 700 WASHINGTON, DC 20005				
EXAMINER PITARO, RYAN F				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/665,258

Applicant(s)

GOERING, THOMAS

Examiner

RYAN F. PITARO

Art Unit

2174

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is in response to the Amendment filed 12/29/2008. In the Amendment Claims 1-14,16 were amended. This action is non-final.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/29/2008 has been entered.

Claim Rejections - 35 USC § 112

The pending claims do not meet the requirements to invoke 35 USC 112 sixth paragraph since the claims lack a means plus function limitation. Therefore the pending

claims are given their broadest reasonable interpretation consistent with the specification. *Phillips v. AWH corp.*, 75 USPQ2d 1321 (Fed Cir. 2005).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ries et al ("Ries", US 2004/0217985) in view of Phillips ("Phillips", US 6,425,121) in further view of Rivera et al ("Rivera", US 2004/0003353) in view of Giljum et al ("Giljum", US 7,404,141) in view of Ramachandran et al ("Ramachandran", US 2003/0083995).

4. As per independent claim 1, Ries teaches a computer system for customizing form elements in a form building application (page 81, paragraph [1858]), comprising:

a form builder component configured to receive an identification of a user of the form building application, the form building application providing a graphical user interface manipulating of a set of form elements under development ([0057]-[0058], Figure 2), and to enable access to a subset of the form elements according to

authorization rules [0073] restrict access); and an access manager component configured to determine the authorization rules associated with the user's authorization to develop the set of form elements ([0073], advanced editing functions). Ries fails to particularly point out global attributes and a set of form elements separate from the form. However, Phillips teaches a system wherein the form elements include global attributes of the form including the layout of the form (Figure 4B) and the form building application is configured to display the set of form elements separate from the form (Column 8 lines 43-53). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Phillips with the method of Ries. Motivation to do so would have been to provide a useful way to organize form development. Ries-Phillips fails to distinctly point out teaching the elements indicating access rights. However, Rivera teaches a system wherein the form elements indicate the authorization for the user to develop the form element [0047] and [0059], each object marked). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Rivera with the system of Ries-Phillips. Motivation to do so would have been to ensure only selected users or groups of users may obtain access to specific data. Ries-Phillips-Rivera fails to distinctly point out teaching an access manager that retrieves the authorization rules using user identification, and configured to enable access to the user. However, Giljum teaches an access manager that retrieves the authorization rules using user identification, and configured to enable access to the user (Column 8 lines 4-27). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Giljum with the modified

method of Ries. Motivation to do so would have been provide a simple and organized way of apportioning responsibility for web site creation and maintenance tasks to the most appropriate individuals.

The modified Ries fails to distinctly point out the authorization rules are determined via lookup table separate from the form. However, Ramachandran teaches authorization rules include settings that identify the accessibility to the user determined via lookup tables separate from the form ([0157] users have access to particular data). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Ramachandran with the modified method of Ries. Motivation to do so would have been to block unauthorized accessibility.

Independent claim 5 is similar in scope to independent claim 1 and is therefore rejected under similar rationale.

5. As per claim 2, the modified Ries teaches the system of claim 1, wherein the identification of the user is based on login information (Ries, [0073] username password).

Claim 6 is similar in scope to claim 2 and is therefore rejected under similar rationale.

6. As per claim 3, the modified Ries teaches the system of claim 1, wherein the authorization rules are determined via a lookup table associating the user identification with the authorization rules for the user (Ries, [0060] login brain).

Claim 7 is similar in scope to claim 3 and is therefore rejected under similar rationale.

7. As per claim 4, the modified Ries teaches the system of claim 3, wherein the authorization rules include settings that identify the subset of the form elements, which are viewable and/or changeable (Ries, [0073] access to only certain hooks).

Claim 8 is similar in scope to claim 4 and is therefore rejected under similar rationale.

8. As per claim 16, the modified Menninger teaches the method of claim 1, wherein the form building application is configured to display only the set of form elements that the user is authorized to modify (Ries, [0059]-[0060])

9. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menninger ("Menninger", US # 2003/0048301) in view of Ries et al ("Ries", US

2004/0217985) in view of Phillips ("Phillips", US 10665258) in view of Rivera et al ("Rivera", US 2004/0003353) Ramachandran et al ("Ramachandran", US 2003/0083995) and in view of Giljum et al ("Giljum", US 7,404,141).

10. As per independent claim 9, Menninger teaches a computer-implemented method for customizing an electronic form (page 81, paragraph [1858]), comprising: responsive to a command by a user to change an element of the form (page 81, paragraph [1858]), rejecting the command unless the access rights associated with the user's identifier permit the user to change the form element (page 61, Table 21, *deny access to applications*). However Menninger does not teach expressly the method comprising: the permission list identifying access rights for a plurality of form elements that are under development contained in the form; and comparing an identifier associated with the user to those the access rights for the form element to be changed.

Ries teaches a method editing a webpage comprising: the permission list identifying access rights for a plurality of form elements under development contained in the form ([0060], login brain); and comparing an identifier associated with the user to those the access rights for the form element to be changed ([0072]-[0073], access rights). Menninger and Ries are analogous art because they are in the same field of endeavor, namely managing access rights within graphical user interfaces. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate the functions as taught by Ries into Menninger's method for editing information in order to provide a more fine-grained access control. Ries fails to

particularly point out global attributes and a set of form elements separate from the form. However, Phillips teaches a system wherein the form elements include global attributes of the form including the layout of the form (Figure 4B) and the form building application is configured to display the set of form elements separate from the form (Column 8 lines 43-53). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Phillips with the method of Menninger-Ries. Motivation to do so would have been to provide a useful way to organize from development. Ries-Phillips fails to distinctly point out teaching the elements indicating access rights. However, Rivera teaches a system wherein the form elements indicate the authorization for the user to develop the form element [0047] and [0059], each object marked). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Rivera with the system of Ries-Phillips. Motivation to do so would have been to ensure only selected users or groups of users may obtain access to specific data. Menninger-Ries Phillips-Rivera fails to distinctly point out teaching an access manager that retrieves the authorization rules using user identification, and configured to enable access to the user. However, Giljum teaches an access manager that retrieves the authorization rules using user identification, and configured to enable access to the user (Column 8 lines 4-27). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Giljum with the modified method of Menninger. Motivation to do so would have been provide a simple and organized way of apportioning responsibility for web site creation and maintenance tasks to the most appropriate individuals.

The modified Menninger fails to distinctly point out the authorization rules are determined via lookup table separate from the form. However, Ramachandran teaches authorization rules include settings that identify the accessibility to the user determined via lookup tables separate from the form ([0157] users have access to particular data). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Ramachandran with the modified method of Menninger. Motivation to do so would have been to block unauthorized accessibility.

11. As per claim 10, the modified Menninger, teaches the method of claim 9, wherein the command by the user to change the form element includes selecting in a form building application a node representing the form element (Ries, [0072]).

12. As per claim 11, the modified Menninger, teaches the method of claim 9, wherein the access rights are defined for form elements representing a form's corporate identity (Menninger, page 29, paragraph [0624] – page 30 Table 3).

13. As per claim 12, the modified Menninger, teaches the method of claim 9, wherein the access rights are defined for form elements representing a form's interface to an application program (Menninger, page 61, Table 21, *deny access to applications*).

14. As per claim 13, the modified Menninger, teaches the method of claim 9, wherein the access rights are defined based on at least one of user id (Ries, [0076]), job title (Menninger, fig. 63), department code and position in the corporate hierarchy (Menninger, page 44, paragraphs [0991] – [0997]).

15. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menninger ("Menninger", US # 2003/0048301) in view of Ries et al ("Ries", US 2004/0217985) in view of Phillips ("Phillips", US 10665258) in view of Rivera et al ("Rivera", US 2004/0003353) in view of Ramachandran et al ("Ramachandran", US 2003/0083995) and Giljum et al ("Giljum", US 7,404,141) in view of Bray et al ("Bray, 6,529,905).

16. As per claim 14, the modified Menninger fails to distinctly point out teaching giving access to all elements for each successive user only giving access to those elements which have not been edited. However, Bray teaches giving for each successive user of the electronic form authorization to electronic form elements that have not been edited (Column 4 lines 34-53). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching with the modified method of Menninger. Motivation to do so would have been to keep organization and fairness based on some sort of priority.

Response to Arguments

Applicant's arguments with respect to claims 1-14,16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 9:00am - 5:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan F Pitaro/
Examiner, Art Unit 2174